

Appln No. 09/922,158
Amdt. Dated June 9, 2004
Reply to Office action of March 19, 2004

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REMARKS/ARGUMENTS

1. The Applicant has carefully considered the official communication dated March 19, 2004. Applicant respectfully submits that the amendment and the following remarks are fully responsive to the official communication.
2. The claims have been amended in light of the official communication. It is submitted that no new matter has been added as a result of the amendment.
3. In paragraph 1 of the Detailed Action, the Examiner has rejected claims 5 to 8 under 35 U.S.C. 102(b) as being anticipated by Takano et al.
4. Claims 5 to 8 have been cancelled.
5. In paragraph 2 of the Detailed Action, the Examiner has rejected claims 16 and 17 under 35 U.S.C. 103(a) as being unpatentable over Takano et al in view of Suzuki.
6. Claims 16 and 17 have been deleted.
7. In paragraph 3 of the Detailed Action, the Examiner has rejected claims 9 to 12 and 19 and 20 under 35 U.S.C. 103(a) as being unpatentable over Takano et al in view of Suzuki as applied to claims 5 and 16 and further in view of Matsui et al.
8. In support of this, the Examiner has included the statement: "...it would have been obvious for one having ordinary skill in the art at the time the invention was made to modify the printing cartridge in the printing system disclosed by Takano et al., as modified, such that the printing cartridge contains the medium colorant and the barcode representing data relating to the media colorant as disclosed by Matsui et al."
9. It is respectfully submitted that no combination of Takano et al, Suzuki and Matsui et al would disclose a printing cartridge having a housing and both media and media colorant supply arrangements positioned in the housing.

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10. Takano et al discloses a detachable paper cassette. Matsui et al discloses an ink cartridge and an ink jet recording apparatus that uses the ink cartridge. Suzuki discloses an image recording apparatus having means for inputting data relating to a type of recording medium.

11. In the case of *Hodosh v Block Drug Co. Inc.*, 786 F.2d 1136, 1143 n.5, 229 USPQ 182, 187 n.5 (Fed Cir. 1986) it was held that the following rules should apply to obviousness rejections (from MPEP 2141):

- (A) The claimed invention must be considered as a whole;
- (B) The references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination;
- (C) The references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention; and
- (D) Reasonable expectation of success is the standard with which obviousness is determined.

12. It is respectfully submitted that when considering the invention as claimed in the amended claims as a whole, an essential feature is the provision of both media and media colorant in a housing of a printing cartridge. It follows that neither of the citations nor any combination of the citations provides both a media and a media colorant in the housing.

13. Furthermore, with reference to item (B) in paragraph 11, above, when considering the references as a whole, they do not suggest the desirability and thus the obviousness of making the combination. For example, it is respectfully submitted that there is nothing in the descriptions of the ink cartridge of Matsui et al and of the cassette of Takano et al to suggest that they could possibly be combined to be positioned together in a housing. This also applies to the description of Suzuki read with the description of Matsui et al.

14. Still further, with reference to item (C) in paragraph 11, it is respectfully submitted that to read both a media and a media colorant into a housing from the citations, would require hindsight, which is impermissible.

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15. In view of the above paragraphs, it is respectfully submitted that it would not be obvious to apply a barcode representing data relating to both a media and a media colorant to a printing cartridge.

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application are courteously solicited.

Very respectfully,

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